

FILED

U.S. DISTRICT COURT

DISTRICT OF MARYLAND

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

2012 SEP 28 P 12:10

TRUSTEES OF THE PLUMBERS AND\*  
GASFITTERS LOCAL 5 RETIREMENT  
SAVINGS FUND, ET AL.

\*  
Plaintiff

\*  
vs.

Civil Action No. JFM-11-2866

P. T. FORD, INC.

\*  
Defendant

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MEMORANDUM

There are a number of pending motions in this case. Among them are a motion for default and summary judgment which will be treated as one for summary judgment and, as such, will be granted. The other motions are mooted.

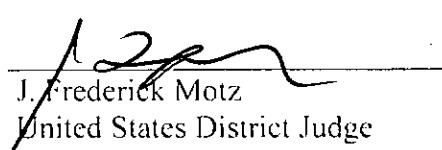
This is an action for contributions due to plaintiffs, various union benefit plans, pursuant to a collective bargaining agreement. P.T. Ford, Inc. was a party to the collective bargaining agreement. It has now forfeited its charter.<sup>1</sup> An affidavit establishes that the sums claimed by plaintiff have been properly calculated by certified public accountants. Nothing in the submissions made in opposition to the motion for summary judgment create any genuine issue of material fact as to these facts.

A separate order treating plaintiff's motion as one for summary judgment and granting it as such, is being entered herewith.

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<sup>1</sup> An interesting question is presented as to whether Perry T. Ford, Sr., who became the successor to P.T. Ford, Inc., under Maryland law after P.T. Ford, Inc. forfeited its charter, must be represented by counsel. The action is still brought against P.T. Ford, Inc. and under Local Rule 101.1.a. corporations must be represented by counsel. However, Mr. Ford faces potential liability for the sums claims by plaintiffs in light of his successor status. I need not decide this question in light of the fact that having considered the submissions made by Perry T. Ford, Sr., I have concluded that summary judgment should be granted in favor of plaintiffs.

Date: 9/28/12

  
J. Frederick Motz  
United States District Judge